

## **REMARKS**

Applicant thanks the Examiner for the Office Action dated March 2, 2005 and mailed March 7, 2005. In that Office Action, the Examiner required Applicant to restrict the pending application to either Claims 1-17 or Claims 18-21. Additionally, the Examiner requested clarification regarding the priority of the application. Finally, the Examiner requested that the Applicant consistently use either the term “brake” or “break.” Applicant hereinafter addresses each of these issues.

### **Election/Restrictions**

In the Action dated March 2, 2005 and mailed March 7, 2005, the Examiner required the Applicant to restrict the pending application to either Claims 1-17, drawn to an apparatus, or Claims 18-21, drawn to a method. The Examiner stated that the inventions are distinct because the process can be practiced by another materially different apparatus or by hand. More specifically, the Examiner stated that the process can be practiced without a cutout portion in the switch cam.

Applicant respectfully traverses the restriction, and requests reconsideration and withdrawal of the restriction. Applicant submits that the process as claimed includes a cutout portion in the switch cam. More specifically, Claim 18 requires “actuating a mechanical switch when a cutout portion of the switch cam is in contact with a portion of the mechanical switch.” Because Claims 19-21 are dependent on Claim 18, “a cutout portion of the switch cam” is also present in those claims. Furthermore, Applicant submits that searching and examining Claims 1-21 together would prove efficient. Applicant respectfully requests that the Examiner reconsider and withdraw the present restriction.

If the Examiner does not withdraw the restriction, Applicant respectfully elects Claims 1-17, drawn to an apparatus.

### **Priority Claim**

The Examiner stated that the application claimed benefit to 60/418,415 of October 15, 2002, which is not consistent with PTO records.

Applicant has amended Paragraphs 1-3 of the specification to clarify Applicant's priority claim. More specifically, Applicant has amended Paragraph 1 to remove the claim of priority to 60/418,415. Paragraph 1 now claims benefit to 60/418,135, filed October 12, 2002, which Applicant has previously claimed in the Declaration for Patent Application. Applicant has also amended Paragraphs 2 and 3.

Applicant submits that this amendment clarifies the priority claims of the present application. If the Examiner has any questions, or requires any further action, Applicant respectfully requests that the Examiner indicate so in the next Office Action.

### **"Brake" and "Break"**

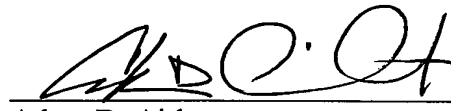
Finally, the Examiner noted that the specification and claims use both the terms "brake" and "break." The Examiner requested that the Applicant consistently use one.

In the present application, Applicant has used the terms "brake" and "break" to describe distinct aspects of the present invention. More specifically, Applicant uses the term "brake" to describe stopping a motor at a specific location. Conversely, Applicant uses the term "break" to describe interrupting a ground connection to the motor. Applicant respectfully submits that "brake" and "break" have distinct meanings, and requests that the Examiner review the specification and claims in view of these meanings.

### SUMMARY

Applicant requests that the Examiner reconsider and withdraw the restriction. If the Examiner does not withdraw the restriction, Applicant elects Claims 1-17. Furthermore, Applicant has amended the specification to clarify Applicant's priority claim. Finally, Applicant has addressed the terms "brake" and brake." The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Adam D. Airhart', is written over a horizontal line.

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